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Date: 3/2/2005

Please hand deliver the following facsimile to:

Name: Examiner Anthony D. Stashick

Facsimile No.: **703-872-9306**

Company : U. S. Patent & Trademark Office

Number of pages (including this page): **7**

Telephone No.:

From: Mitchell Rose, Ph.D., Patent Agent

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JP No.: **000488**

CAM No.: **101990-0025005**

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Message:

This is an Official Communication to Examiner Stashick from Mitchell Rose (Reg. No. 47,906) for Application No. 10/648,065.

Enclosure:

- Request for Reconsideration of Information Disclosure Statement (2 pages)
- Copy of IDS (1 page)
- Copy of Form 1449 (1 page)
- Copy of IDS document (1 page)
- Copy of return postcard (1 page)

Please call Mitchell Rose at 216-586-7094 if the facsimile is incomplete or illegible.

Jones Day

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PAGE 17 * RCVD AT 3/2/2005 5:24:47 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/6 * DNIS:8729306 * CSID:2165790212 * DURATION (mm:ss):01:54

Express Mail No.: EV243776208 US
Docket No.: 101990-025005
Application No.: Not Yet Assigned
Patent/Registration No.: _____
Trademark: _____

Date Mailed: August 26, 2003 03913 U.S. PTO
10/648065
Applicant: Alaimo et al.
Filing Date: Herewith
08/26/03
Issue/Registration Date: _____
Title: Foot Orthotic

THE USPTO ACKNOWLEDGES AND HAS STAMPED THE DATE OF RECEIPT OF THE ITEMS CHECKED BELOW:

<input type="checkbox"/> Affidavit (<u> </u> pages)	<input type="checkbox"/> Design Patent Application Transmittal
<input type="checkbox"/> Amendment (<u> </u> pages)	<input checked="" type="checkbox"/> Utility Patent Application Transmittal
<input checked="" type="checkbox"/> Application Papers	<input type="checkbox"/> Issue Fee Transmittal
<u>5</u> sheets of drawing(s) (format/informat)	<input type="checkbox"/> Maintenance Fee Transmittal Form
<u>13</u> pages specification	<input type="checkbox"/> Notice of Opposition
<u>9</u> pages description	<input type="checkbox"/> Petition for Extension of Time
<u>3</u> pages claims	<input type="checkbox"/> Preliminary Amendment (<u> </u> pages)
<u>1</u> pages abstract	<input type="checkbox"/> Renewal Application (<u> </u> pages)
<u> </u> pages of PCT Request	<input type="checkbox"/> Response (<u> </u> pages)
<u> </u> PCT Calculation sheet	<input type="checkbox"/> Revocation of Power of Attorney and Appointment of New Attorney
 Application Data Sheet	
<input checked="" type="checkbox"/> Assignment (<u>2</u> pages)	<input checked="" type="checkbox"/> Small Entity Statement
<input checked="" type="checkbox"/> Declaration (<u>2</u> pages)	<input type="checkbox"/> Specimens
<u> </u> Declaration/Power of Attorney (<u> </u> pages)	<input type="checkbox"/> Statement of Use
<input checked="" type="checkbox"/> Fee Transmittal Form (<u> </u> duplicate)	<input type="checkbox"/> Status Inquiry
<input checked="" type="checkbox"/> TDS & PTO-1449 and 2pgs	<input type="checkbox"/> Transmittal Letter
<u>X</u> cited item(s) 21 refs.	<input type="checkbox"/> Check - Amount \$ _____
<u> </u> Provisional Application for Patent cover sheet	<input type="checkbox"/> Other

MR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Alaimo, et al.
Title : Foot Orthotic
Application No. : 10/648,065
Filing Date : 8/26/03
Examiner : Anthony D. Stashick
Group Art Unit : 3728
Attorney Docket : 101990025005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement (IDS) was filed along with the original application. It was accompanied by a Form 1449 listing 21 documents and copies of all 21 documents. Applicants subsequently received a return postcard from the USPTO indicating that the USPTO received the IDS, the Form 1449 and the copies of all 21 documents.

In a copy of the Form 1449 accompanying the latest Office Action, the Examiner initialed the listings of the first 20 IDS documents. But he crossed out the listing of the last IDS document. In a telephone conference on March 2, 2005, the Examiner explained that he did so because a copy of the last document could not be found on the USPTO's database. The Examiner suggested that Applicants submit this Request for Reconsideration of Information Disclosure Statement, along with copies of the IDS, the Form 1449, the last document, and the return postcard showing the USPTO previously received all 21 documents.

Accordingly, Applicants submit herewith copies of the IDS, the Form 1449, the last document, and the return postcard. Applicants request that the last IDS document be considered by the examiner and initialed.

No fee should be due for this Request and re-submission of the last IDS document, because the document was previously submitted in an IDS along with the original application. However, if any fee is due for this Request, it should be withdrawn from the Jones Day Deposit Account No. 50-1432, Reference No. 101990025005.

Respectfully submitted,

Mitchell Rose

Mitchell Rose, Patent Agent
Registration No. 47,906
JONES DAY
901 Lakeside Ave.
Cleveland, OH 44114
(216) 586-7094

Date: 3/2/05

MAR 02 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Alaimo, et al.
Title : Foot Orthotic
Application No. : Not Yet Assigned
Filed : Herewith
Attorney Docket : 101990025005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

This Statement is submitted in compliance with 37 CFR 1.56.

A list of documents is set forth on the attached Form PTO-1449. A copy of each document listed is enclosed.

Respectfully submitted,

Mitchell Rose

Mitchell Rose, Patent Agent
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"Express Mail" Mailing Label No. FV243776208US

Date of Deposit August 26, 2003

Date: 8/26/03

I hereby certify that this paper or fees is being deposited with the United States Postal Service "Express Mail" Post Office to Addressee service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By Margie O'Brien

FORM PTO-1449 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98(b))		Atty Docket No.: 101990025005						
		Application No.: Not Yet Assigned						
		Applicant: Alaimo						
		Filed:						
		Group: Not Yet Assigned						
U.S. PATENT DOCUMENTS								
Exam. Init.		Patent Number	Issue Date	Patentee	Class	Subclass	Filing Date	
	A	4,520,581		Irwin				
	B	4,826,497		Marcus				
	C	4,868,945		DeBettignies				
	D	4,876,758		Rolloff				
	E	5,083,910		Abshire				
	F	5,163,094		Prokoski				
	G	5,432,000		Young				
	H	5,498,478		Hansen				
	I	5,714,098		Potter				
	J	5,733,647		Moore				
	K	5,879,725		Potter				
	L	5,951,799		Williamson				
	M	6,141,889		Baum				
	N	6,247,250		Hauser				
	O	6,280,815		Ersfeld				
	P	6,481,120		Xia				
	Q	6,543,158		Dieckhaus				
	R	6,549,639		Genest				
	S	2002/0122928		Botrie				
	T	2003/0091612		Sabesan				
FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION								
Exam. Init.		Document Number	Publication Date of the Grant	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	U							
OTHER DOCUMENTS (Including Author, Title, Date**, Relevant pages, Place of Publication***)								
		One-page copy of operating instructions for PressureStat footprinting device manufactured by PodoTrack and marketed by FootLogic, LLC, undated.						
Examiner				Date Considered				
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								